

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2015-116566-001 DT

08/12/2015

HONORABLE ALFRED M. FENZEL

CLERK OF THE COURT

Sa. Enteman

Deputy

STATE OF ARIZONA

JACOB D BROWN

v.

RICKY VILLAPONDS MORENO (001)

DOB: 07/24/67

MARTIN BECKER

APO-SENTENCINGS-CCC

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

SENTENCE - IMPRISONMENT AND PROBATION

8:55 a.m.

State's Attorney:	Jacob Brown
Defendant's Attorney:	Martin Becker
Defendant:	Present
Court Reporter:	Vanessa Gartner

Count(s) 1 and 3: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1: AGGRAVATED ASSAULT

Class 3 DANGEROUS FELONY

A.R.S. § 13-1203, 1204, 3105, 701, 702, 801, 105, 704

Date of Offense: 04/12/15

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2015-116566-001 DT

08/12/2015

Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 3: MISCONDUCT INVOLVING WEAPONS  
Class 4 DANGEROUS FELONY

A.R.S. § 13-3101, 3102, 3105, 701, 702, 801

Date of Offense: 04/12/15

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 7.5 year(s) from 08/12/15

Presentence Incarceration Credit: 122 day(s)

Presumptive

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in CR2015-116566-001DT-COUNT 3.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. § 13-901(B).

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Upon physical release from prison pursuant to A.R.S. § 13-603(K). Count 3: For a period of 3 YEARS.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the State.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2015-116566-001 DT

08/12/2015

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 3 - \$65.00 per month.

PROBATION ASSESSMENT: Count 3 - \$20.00.

Count 3: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

PENALTY ASSESSMENT - A.R.S. § 12-116.04: Count 3 - \$13.00.

Investigative Agency:

Phoenix Police Department

VICTIMS' RIGHTS ENFORCEMENT Count 3 - in the amount of \$2.00.

Payment to commence on the first day of the second month following release from DOC and is due on the same day of each month thereafter until paid in full.

All amounts payable through the Clerk of the Superior Court.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail [cforeponse@mail.maricopa.gov](mailto:cforeponse@mail.maricopa.gov). The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2015-116566-001 DT

08/12/2015

IT IS ORDERED granting the Motion to Dismiss the following: Counts 2 and 4, allegation of prior felony convictions, allegation that Defendant was on parole..

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 3: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

9:01 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2015-116566-001 DT

08/12/2015

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE ALFRED M. FENZEL  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)